

**Notice of Allowability**

Application No.

09/922,086

Examiner

Victor Lesniewski

Applicant(s)

SHANNON ET AL.

Art Unit

2155

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 1 March 2005.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 02 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 2/25/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**SALEH NAJJAR**  
**PRIMARY EXAMINER**

### **ALLOWANCE**

1. The amendment filed 3/1/2005 has been placed of record in the file.
2. Claims 1, 2, 4-6, 12, 14-19, and 23 have been amended.
3. The rejection of claim 16 under 35 U.S.C. 112 is withdrawn in view of the amendment.
4. The applicant's arguments, see pages 11, 12, and 14 of the amendment filed 3/1/2005, with respect to claims 1-23 have been fully considered and are persuasive. The rejections of claims 1, 2, 4, 5, 7, 10-12, 14, 15, 17, 18, 20, and 22 under 35 U.S.C. 102(e) and claims 3, 6, 8, 9, 13, 16, 19, 21, and 23 under 35 U.S.C. 103(a) have been withdrawn.
5. Claims 1-23 are allowed.

### ***Allowable Subject Matter***

6. The following is an examiner's statement of reasons for allowance:

Claim 1 distinguishes itself over the prior art of record by delineating a system for performing a hand-off of bearer traffic for a mobile call between two IP core networks in a wireless domain wherein a source bearer path gateway (the source relating to the devices that provide services to the mobile unit before hand-off) communicates from within a source IP core network with a target bearer path gateway (the target relating to the devices that provide services to the mobile unit after the hand-off) within a target IP core network by using a call agent and a mobility control function to set up and take down particular segments of the bearer path for the bearer traffic as the mobile unit moves from one service area to another. Furthermore, the first segment of a bearer path between the source bearer path gateway and the PSTN gateway is maintained throughout the process. See pages 12-13 of the specification in relation to figure 2,

Art Unit: 2155

which shows the routing and signaling of bearer traffic after a hand-off between two IP core networks in the present invention.

Claim 12 distinguishes itself over the prior art of record by delineating a target mobility control function within the target IP core network. This target mobility control function actively communicates with a counterpart mobility control function in the source IP core network in order to actuate the hand-off. See pages 14-15 of the specification which discuss in detail the functionality of the target mobility control function with relation to figure 3.

Although prior art systems may exist that perform hand-offs between IP core networks, these prior art systems do not support the hand-off process as claimed in the present invention. Notable differences are apparent in the way in which particular segments are set up, the use of the PSTN gateway in connection with the source bearer path gateway, and the two counterpart mobility control functions as discussed above. Furthermore, the prior art gives no indication that it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to create a system for performing a hand-off between two IP core networks in a wireless domain in this way.

Claims 14 and 23 recite limitations similar to claim 1 and are allowed for the reasons given above.

Claims 2-11, 13, and 15-22 are allowed due to their dependence on the independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2155

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*VZ*

Victor Lesniewski  
Patent Examiner  
Group Art Unit 2155

  
**SALEH NAJJAR**  
**PRIMARY EXAMINER**